

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2086

Introduced by Assembly Member Ian Calderon

February 20, 2014

An act to amend Section 95001 of the Government Code, relating to ~~early intervention services~~; 12182 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2086, as amended, Ian Calderon. ~~Early intervention services.~~ Secretary of State: filing fees.

Existing law requires the Secretary of State to charge and collect fees for the filing of documents, issuing of certificates, and other services performed by the Secretary of State, as provided, and, as of July 1, 2014, requires copying and special handling fees to be paid into the Secretary of State's Business Fees Fund.

This bill would authorize filing fees to be paid to the Secretary of State's office up to one year after the forms are filed with the Secretary of State. The bill would also make technical, nonsubstantive changes.

Existing law, the California Early Intervention Services Act, in part, requires the State Department of Developmental Services, the State Department of Education, the State Department of Health Care Services, and the State Department of Social Services to coordinate services to infants and toddlers with disabilities and their families, and to collaborate with families and communities to provide a family-centered, comprehensive, multidisciplinary, interagency, community-based, early intervention system for infants and toddlers with disabilities.

~~This bill would make a technical, nonsubstantive change to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 12182 of the Government Code, as added~~
2 ~~by Section 4 of Chapter 364 of the Statutes of 2013, is amended~~
3 ~~to read:~~

4 ~~12182. (a) The Secretary of State shall charge and collect fees~~
5 ~~as provided in this article and. Filing fees, as provided for in this~~
6 ~~article, may be paid to the Secretary of State's office up to one~~
7 ~~year after the forms are filed with the Secretary of State. The~~
8 ~~Secretary of State may also by regulation establish fees to be~~
9 ~~charged and collected for copying and special handling in~~
10 ~~connection with filing documents, issuing of certificates, and other~~
11 ~~services performed by the office.~~

12 ~~(b) Except as provided in subdivision (c), the fees shall~~
13 ~~approximate the estimated cost of copying and special handling.~~

14 ~~(c) Fees charged for preclearance of documents and expedited~~
15 ~~filings may be in different amounts, that shall not exceed one~~
16 ~~thousand dollars (\$1,000). Those fees may be charged only if the~~
17 ~~special handling does not cause disruption or delay in the process~~
18 ~~of normal handling of documents.~~

19 ~~(d) Copying and special handling fees shall be paid into the~~
20 ~~Secretary of State's Business Fees Fund.~~

21 ~~(e) The preclearance or expedited filing of documents by the~~
22 ~~Secretary of State or his or her employees pursuant to this section~~
23 ~~shall be considered discretionary pursuant to Section 820.2.~~

24 ~~(f) This section shall become operative commencing July 1,~~
25 ~~2014.~~

26 ~~SECTION 1. Section 95001 of the Government Code is~~
27 ~~amended to read:~~

28 ~~95001. (a) The Legislature hereby finds and declares all of the~~
29 ~~following:~~

30 ~~(1) There is a need to provide appropriate early intervention~~
31 ~~services individually designed for infants and toddlers from birth~~
32 ~~to two years of age, inclusive, who have disabilities or are at risk~~

1 of having disabilities, to enhance their development and to
2 minimize the potential for developmental delays.

3 (2) Early intervention services for infants and toddlers with
4 disabilities or who are at risk of having disabilities represent an
5 investment of resources, in that these services minimize the
6 ultimate costs to our society, by minimizing the need for special
7 education and related services in later school years and by
8 minimizing the likelihood of institutionalization. These services
9 also maximize the ability of families to better provide for the
10 special needs of their children. Early intervention services for
11 infants and toddlers with disabilities maximize the potential of the
12 individuals to be effective in the context of daily life and activities,
13 including the potential to live independently, and exercise the full
14 rights of citizenship. The earlier intervention is started, the greater
15 is the ultimate cost-effectiveness and the higher is the educational
16 attainment and quality of life achieved by children with disabilities.

17 (3) The family is the constant in the child's life, while the service
18 system and personnel within those systems fluctuate. Because the
19 primary responsibility of an infant's or toddler's well-being rests
20 with the family, services should support and enhance the family's
21 capability to meet the special developmental needs of their infant
22 or toddler with disabilities.

23 (4) Family-to-family support strengthens families' ability to
24 fully participate in services planning and their capacity to care for
25 their infants or toddlers with disabilities.

26 (5) Meeting the complex needs of infants with disabilities and
27 their families requires active state and local coordinated,
28 collaborative, and accessible service delivery systems that are
29 flexible, culturally competent, and responsive to family-identified
30 needs. When health, developmental, educational, and social
31 programs are coordinated, they are proven to be cost effective, not
32 only for systems, but for families as well.

33 (6) Family-professional collaboration contributes to changing
34 the ways that early intervention services are provided and to
35 enhancing their effectiveness.

36 (7) Infants and toddlers with disabilities are a part of their
37 communities, and as citizens make valuable contributions to society
38 as a whole.

39 (b) Therefore, it is the intent of the Legislature that:

1 ~~(1) Funding provided under Part C of the federal Individuals~~
2 ~~with Disabilities Education Act (20 U.S.C. Sec. 1431 et seq.) be~~
3 ~~used to improve and enhance early intervention services as defined~~
4 ~~in this title by developing innovative ways of providing family~~
5 ~~focused, coordinated services, which are built upon existing~~
6 ~~systems.~~

7 ~~(2) The State Department of Developmental Services, the State~~
8 ~~Department of Education, the State Department of Health Care~~
9 ~~Services, and the State Department of Social Services coordinate~~
10 ~~services to infants and toddlers with disabilities and their families.~~
11 ~~These agencies need to collaborate with families and communities~~
12 ~~to provide a family-centered, comprehensive, multidisciplinary,~~
13 ~~interagency, community-based, early intervention system for~~
14 ~~infants and toddlers with disabilities.~~

15 ~~(3) Families be well informed, supported, and respected as~~
16 ~~capable and collaborative decisionmakers regarding services for~~
17 ~~their child.~~

18 ~~(4) Professionals be supported to enhance their training and~~
19 ~~maintain a high level of expertise in their field, as well as~~
20 ~~knowledge of what constitutes most effective early intervention~~
21 ~~practices.~~

22 ~~(5) Families and professionals join in collaborative partnerships~~
23 ~~to develop early intervention services that meet the needs of infants~~
24 ~~and toddlers with disabilities, and that those partnerships be the~~
25 ~~basis for the development of services that meet the needs of the~~
26 ~~culturally and linguistically diverse population of California.~~

27 ~~(6) To the maximum extent possible, infants and toddlers with~~
28 ~~disabilities and their families be provided services in the most~~
29 ~~natural environment, and include the use of natural supports and~~
30 ~~existing community resources.~~

31 ~~(7) The services delivery system be responsive to the families~~
32 ~~and children it serves within the context of cooperation and~~
33 ~~coordination among the various agencies.~~

34 ~~(8) Early intervention program quality be ensured and~~
35 ~~maintained through established early intervention program and~~
36 ~~personnel standards.~~

37 ~~(9) The early intervention system be responsive to public input~~
38 ~~and participation in the development of implementation policies~~
39 ~~and procedures for early intervention services through the forum~~
40 ~~of an interagency coordinating council established pursuant to~~

1 federal regulations under Part C of the federal Individuals with
2 Disabilities Education Act.

3 (e) It is not the intent of the Legislature to require the State
4 Department of Education to implement this title unless adequate
5 reimbursement, as specified and agreed to by the department, is
6 provided to the department from federal funds from Part C of the
7 federal Individuals with Disabilities Education Act.

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